



1773

Attorney Docket: 148/50801
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HERBERT RUPPRECHT ET AL
Serial No.: 10/043,267 Group Art Unit: 1773
Filed: JANUARY 14, 2002 Examiner: Donald Tarazano
Title: MULTILAYERED FILM CONTAINING AN ACTIVE
SUBSTANCE AND MADE OF CROSS-LINKED HYDROPHILIC
POLYMERS

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J-3-00

REPLY TO OFFICE ACTION
Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action mailed January 2, 2003 in the above-captioned application, applicants hereby elect the claims of Group I, namely claims 1-14, for examination in the instant application.

With regard to the attempted restriction of claim 21 away from claims 1-14, the requirement for restriction is respectfully traversed. The reason for this traversal is that the restriction is based upon erroneous grounds. The Office Action attempts to justify restriction by asserting that claim 21 is directed to apparatus for the practice of the method of Group II. This, however, is not correct. Claim 21 is in fact directed to an apparatus for producing the article of claims 1-14, and use of the apparatus as claimed will necessarily produce the claimed article. Accordingly there is no proper ground for requiring restriction between claims 1-14 and claim 21, and re-joinder is respectfully requested.

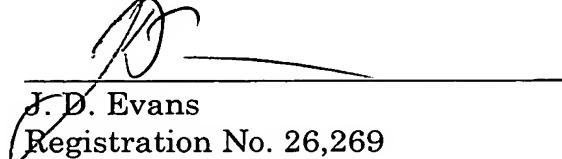
If there are any questions regarding this reply the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #148/50801).

Respectfully submitted,

January 29, 2003


J. D. Evans
Registration No. 26,269

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDE:dcb